

Appl. No. 09/686,563
Amdt. dated March 22, 2004
Reply to Office Action of January 21, 2004

PATENT

REMARKS/ARGUMENTS

Claims 1-17, 19-26 (renumbered as 1-25) were pending in this application.

Claims 1 and 11 have been amended. Claims 2-10 and 12-25 (Claim 25 being original claim 26) have been cancelled. No claims have been added. Hence, claims 1 and 11 remain pending. Reconsideration of the subject application as amended is respectfully requested.

Claims 1 and 2 stand rejected under 35 U.S.C. § 102(b) as being anticipated by the cited portions of U.S. Patent No. 5,404,400 to Hamilton, *et al.* (hereinafter "Hamilton").

Claims 1-25 (renumbered) stand rejected under 35 U.S.C. § 102(e) as being anticipated by the cited portions of U.S. Patent No. 6,633,545 to Milbrandt, *et al.* (hereinafter "Milbrandt").

Claim Rejections Under 35 U.S.C. § 102

Claims 1 and 11 are believed to be allowable since neither Milbrant not Hamilton teach the subject matter of claims 1 and 11 as amended. Specifically, neither teach using a dialog processing device to "monitor the terminating connection during operation of [a] modem." Thus, claims 1 and 11 are believed to be allowable.

The remaining claims have been cancelled, thus overcoming the 35 U.S.C §112 rejections.

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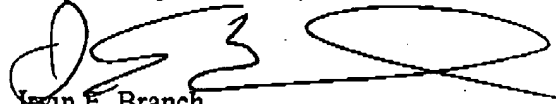
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CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,


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